

HAMILTON COUNTY BOARD OF COMMISSIONERS
AUGUST 8, 2005

The Hamilton County Board of Commissioners met on Monday, August 8, 2005 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 1:10 p.m. in Conference Room 1A. President Altman called the public meeting to order at 1:56 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes

Dillinger motioned to approve the July 27, 2005 minutes. Altman seconded. Holt abstained. Motion carried.

Executive Session Memoranda

Dillinger motioned to approve the August 8, 2005 Executive Session Memoranda. Holt seconded. Motion carried unanimously.

Ordinance 8-08-05-A, Amending Transfer Fee

Mr. Michael Howard presented Ordinance 8-08-05-A, An Ordinance Amending Section 36-2-9-18 of the Hamilton County Code. The amendment authorizes the Auditor to charge \$5.00 for each real property endorsement per transaction. Holt motioned to suspend the rules for the purpose of passing this ordinance on first reading. Dillinger seconded. Motion carried unanimously. Holt motioned to pass Ordinance 8-08-05-A. Dillinger seconded. Motion carried unanimously.

Bid Opening [2:01:04]

Resurface Contract 05-3, Various Roads in Jackson Township

Howard opened the bids for Resurface Contract 05-3, Various Roads in Jackson Township. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of Addendum were included unless otherwise specified. 1) Calumet Asphalt - \$776,457.12. 2) E&B Paving - \$772,832.77. 3) Grady Brothers - \$749,465.00. 4) Milestone Contractors - \$736,520.00. 5) Rieth-Riley - \$774,328.23. 6) Shelly & Sands - \$710,911.30. Dillinger motioned to refer the bids to the highway department for review and recommendation later today. Holt seconded. Motion carried unanimously.

4-H Barn Rental

Howard opened the bid for the rental of the 4-H storage barns. Superior Dock bid \$7,101.00 and included a check in the amount of \$500 in lieu of a bid bond. Dillinger motioned to award the bid to Superior Dock. Holt seconded. Motion carried unanimously.

Public Hearing [2:09:09]

Changing of Street Name from Boxley Road to 261st Street

Altman opened the public hearing for the changing of the street name of Boxley Road to 261st Street. Ms. Nancy Bandy, 421 W. 261st. Street, stated the road is currently called Boxley Road but the post office has changed their address to 261st Street. Ms. Bandy is in support of the name change. Altman closed the public hearing. Dillinger motioned to approve. Holt seconded. Holt asked how long is Boxley Road? Mr. Jim Neal stated it is less than 1 mile. Holt asked who is the petitioner? Mr. Chris Burt stated Ms. Bandy wrote a letter and included her neighbor in the request. Burt stated the highway department is supporting the change. Holt asked if it is called Boxley Road through Boxley? Burt stated our records show it is Boxley Road from Six Points Road to Meridian. Every property tax record shows 261st Street. The mail carrier has told him everything she delivers is to 261st Street. Burt stated it seems that everyone uses 261st Street as their street address. The property addresses are listed as Boxley Road with the taxpayers mailing address listed on 261st Street. Holt asked if anyone on Boxley/261st Street knows this was an agenda item today? Burt stated yes, notification of the public hearing was sent by certified letter to the property owners and it was published in the newspaper. Holt asked if this effects E-911? Burt stated E-911 has it listed as Boxley and 261st Street. Howard introduced Ordinance 8-08-05-B. Dillinger motioned to suspend the rules to approve the ordinance on single reading. Altman seconded. Dillinger and Altman approved. Holt opposed. Motion carried. Altman stated Ordinance 8-08-05-B, An Ordinance Changing the Name of a Street in Adams Township, Hamilton County will be introduced for consideration at our next meeting. Dillinger motioned to introduce Ordinance 8-08-05-B. Holt seconded. Motion carried unanimously.

Highway Business [2:18:00]

Mayflower Park

Altman stated she received a letter from Browning Investments asking the commissioners to reconsider a previous decision to not accept the roads into the county system for Mayflower Park. There is an issue with a proposed traffic signal and INDOT will not consider a traffic signal without the property being in public domain. Altman asked the highway department to research the issue and report back at the next meeting.

Springs of Cambridge

Altman stated she, Sheriff Carter and Jim Neal met with residents of Springs of Cambridge. They have come before the Board several times requesting help with speed control issues on Springstone Road. The residents are very concerned about the speed and safety issues. Mr. Neal discussed two options, stop signs at a couple of intersections and speed humps, which the county does not have a formal policy on. After discussion the speed humps would be the most appropriate fix. Altman stated she did not want additional work done by the neighborhood association until there was direction from the Board if we would consider speed humps be allowed. Neal stated the residents had initially requested stop signs on several occasions. The MUTCD states that stop signs are not to be used for speed control and none of the intersections within the neighborhood meet the requirements for a three-way stop. The residents had not requested speed humps as they were told previously they would not be allowed. Carmel has placed speed humps in some neighborhoods. Speed humps can not be ignored, as stop signs can be run. If the stop signs are not warranted and the person sees no traffic they will run the sign. When a person stops for a stop sign they will speed up between the signs trying to make up the time they perceive they have lost by stopping. A speed hump policy was introduced in 1998 but was never followed up on. The representatives that we met with indicated they would have no problem getting the signatures needed to request installation of the speed humps. This is a long stretch of road that could be used as a cut-thru between Olio Road and 96th Street. Neal presented a summary of the current unofficial highway department policy on speed humps. Altman stated she wants to make sure we have petitions or consents signed by a significant number of the people within the subdivision. Howard asked if there are ASTOE standards or any type of design standards for speed humps? Neal stated he does not know of any standards that are published currently. They have not looked recently. The policy was drafted in 1998 from standards other municipalities use for their speed hump policies. Neal stated they will have to check if there are any standards. Neal stated the highway department has a proposed design criteria, an elongated hump with a total amount of additional asphalt of 4", it is gradual to 8'. There is stripping and advisory signs are installed. Holt asked if a snow plow is ok? Neal stated snow plows do have issues with the

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speed humps. Dillinger stated so do ambulances, fire trucks and school buses. The advisory speed limit is 15 mph, but you could not take them at 15 mph. Dillinger stated he is adamantly opposed to them. Altman stated she wanted to discuss it at this meeting to see if a variance would be considered, if so the highway department will look at the road and give suggestions for location of the speed humps. The residents felt very comfortable with getting significant numbers for support. Howard stated we need input if there is or is not a standard and we need signatures from individual property owners. Property owner associations would not have jurisdiction to consent. Neal stated the proposed standard is 75% of the homeowners approving. Holt stated it is a difficult situation, he is not categorically opposed. It is critical that there be a homeowners association to pay and spearhead the request. Holt does not want the highway department carrying the petitions. With the criteria that is listed, Holt does not have a problem with what we need to do, we do need to find correct standards, if there are any. Altman asked if the installation expense would be borne by the county? Holt stated the proposed policy states the expenses would be borne by the homeowners association. Holt stated the policy should include the construction and maintenance of the speed humps. Altman concurred. Holt motioned to direct the highway department to look at locations, specifications, signage and a proposed ordinance. Altman seconded. Holt and Altman approved. Dillinger opposed. Motion carried.

Acceptance of Bonds/Letters of Credit - Highway Department

Holt motioned to accept Bonds and Letters of Credit for the highway department. 1) HCHD #B-96-0066 - State Auto Insurance Companies Continuation Certificate for Bond No. 6690760 04 issued on behalf of Up-Grade Excavating, Inc. in the sum of \$25,000 to now expire July 12, 2006. 2) HCHD #B-03-0082 - Western Surety Company Continuation Certificate for Bond No. 14509296 issued on behalf of Valenti-Held Contractor/Developer, Inc. in the sum of \$25,000 to now expire July 24, 2006. 3) HCHD #B-03-0129 - Erie Insurance Company Continuation Certificate for Bond No. Q92 6370118 R issued on behalf of excavating Specialists LLC in the sum of \$25,000 to now expire August 13, 2006. 4) HCHD #B-05-0055 - Fidelity and Deposit Company Performance Bond for Crider & Crider, Inc. in the sum of \$530,000 for Centennial South - streets and curbs to expire July 14, 2007. 5) HCHD #B-05-0056 - Bond Safeguard Insurance Company Maintenance Bond No. 5017984 issued on behalf of Northside Investments LLC in the sum of \$31,578 for Bridge #206 in Long Branch Estates Subdivision to expire July 14, 2008. 6) HCHD #B-05-0057 - Bond Safeguard Insurance Company Maintenance Bond No. 5017173 issued on behalf of Platinum Properties, LLC in the sum of \$68,400 for a conspan bridge in Cherry Creek Estates, Section 4 to expire August 8, 2008. 7) HCHD #L-05-0003 - Fifth Third Bank Letter of Credit No. CIS404111 issued on behalf of The Marina Limited Partnership in the sum of \$136,646 for streets and curbs and street signs in Springs of Cambridge, Section 9 to expire July 22, 2006. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department

Dillinger motioned to release Bonds and Letters of Credit for the highway department. 1) HCHD #B-03-0090 - Gulf Insurance Company Subdivision Bond #B21879845 issued on behalf of Northside Investments for Long Branch Estates, Section 3 conspan bridge structure #206. 2) HCHD #B-04-0097 - Bond Safeguard Insurance Company Bond No. 5012764 Subdivision Bond on behalf of Platinum Properties for a conspan bridge in Cherry Creek Estates, Section 4. Holt seconded. Motion carried unanimously.

Engineering Agreement

Bridge #236, 101st Street over Flatfork Creek

Neal requested approval of Engineering Agreement, HCHD #E-05-0009, with R.W. Armstrong & Associates for Bridge No. 236 replacement carrying 101st Street east over Flatfork Creek. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Official Action [2:38:28]

Tetterton Road

Neal requested approval of an official action to install regulatory signs on Tetterton Road in Jackson Township. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Permission to Advertise

Contract Resurface 05-4, Various Roads in Fall Creek Township

Neal requested permission to advertise for Contract Resurface 05-4, various roads in Fall Creek Township. Bid opening is scheduled for September 12, 2005. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Proposed Road Closures

Gwinn Road between 256th Street and 261st Street

266th Street between Cornell Road and Henry Gunn Road

Neal requested permission to close 1) Gwinn Road between 256th Street and 261st Street beginning on or after Monday, August 15, 2005 for a period of 90 calendar days for replacement of Bridge #60. 2) 266th Street between Cornell Road and Henry Gunn Road beginning on or after Monday, August 15, 2005 for a period of 60 calendar days for rehabilitation of Bridge #69. Dillinger motioned to approve. Holt seconded. Holt asked if the school corporation has been informed of these closures? Mr. Faraz Kahn stated yes, they were informed of it during preliminary design which was approximately 9 months ago. They were also informed upon final design completion which was 3-4 months ago. Holt asked if they were given this date? Kahn stated no, they were given an approximate time of sometime close to August. Holt stated he is concerned about Gwinn Road. Mr. Matt Knight stated to his knowledge there has been no discussion about the closure on Gwinn Road with the school system yet. Holt asked how will the students be picked up? Knight stated that will have to be worked out between the contractor and the school system. Holt stated school starts on the 15th and we are closing the bridge at the same time, should they get a communication from us about what is going on? Knight stated they will, we wanted a date cleared by the commissioners before we had that discussion. We will discuss it with them and make sure the pick-ups, etc. are covered before we close the road. Holt asked who would go out and work with the transportation director? Knight stated the project inspector and contractor's foreman. Holt asked if our public relations person does not do that? Knight stated not typically. She would do the general notification 2 days in advance but we have informal notifications before that. Holt stated from a public relations standpoint would we not want to give them more than 2 days notice? Knight stated we have informal discussions before that so they are comfortable with it. The formal notification goes to the schools, police agencies, etc. Holt stated that is seven days from now and it would have been easier to let them know before this meeting so if there is a problem we could deal with it before we tell them the commissioners voted to close the road. Knight stated this is an INDOT contract and we have to wait for their notice to proceed before we can start work. Holt stated it is still communication with the customer letting them know this is going to happen and you need to make plans to deal with it,

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rather than a 48 hour notification. Knight stated they will contact the school system as soon as possible after this meeting. Motion carried unanimously.

106th Street

Altman asked if we are on schedule on 106th Street in Clay Township? Mr. Mike McBride stated everything is on schedule for Bridge #33 on 106th Street. Altman stated we are scheduled to open August 31 or before? McBride stated yes.

Lobbyist Transportation Project Evaluation Questionnaire [2:46:13]

Mr. Brad Davis presented a draft for transportation project evaluation criteria committee on transportation and infrastructure subcommittee on highways and transit. Holt motioned to request the funds be transferred to the north end of the Hazel Dell project, from 211th Street to 236th Street. Dillinger seconded. Altman stated she would like to extend our existing 146th Street project to the west. It is higher priority in terms of mileage and overall need that currently faces this community. Dillinger asked if there is somewhere in Fall Creek Township? Davis stated we could request funds to build out Olio Road, 96th Street north to the Geist bridge. It is designed and right of way is purchased. We have applied for federal funds but have not been granted yet. There may have to be a review of the design for federal funds, which we would have to do for MPO funds. Holt stated in terms of greater need he would go with Olio Road - first, 146th Street west - second and Hazel Dell north - third. Holt motioned to approve. Dillinger seconded. Motion carried unanimously. There was a motion and second on the floor. Holt withdrew his motion. Dillinger withdrew his second. Dillinger asked the highway department if this can be better utilized throughout the county? Davis stated those are probably the two top priorities. The other one is the 96th Street corridor from Lantern Road to Fall Creek, which we will have to interact with Fishers. Dillinger stated he would agree that is worse than the Olio Road situation. Dillinger motioned to reconsider 96th Street between Lantern Road to Fall Creek as the number one priority, then Olio Road, then west 146th Street, Hazel Dell Road north. Holt stated he would give three choices, 96th Street, Hazel Dell road north and then west 146th Street. He would delete Olio Road. Holt so moved. Dillinger seconded. Dillinger clarified - 96th Street, 146th Street and then Hazel Dell. Motion carried unanimously. Davis stated we did agree with Fishers to look at transportation planning funds for the 96th Street corridor.

Bid Award [2:55:13]

Resurface Contract 05-3

Neal requested awarding the bid for Resurface Contract 05-3 to Shelly & Sands, Inc. as the lowest responsive bidder. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Request to Advertise for Equipment - Highway Department

Davis requested permission to advertise for bids for vehicles - on crew cab stake bed pickup truck, one pickup truck and one utility vehicle. The money is in the 2005 budget. Dillinger motioned to approve. Holt seconded. Altman asked what vehicles will you be replacing? Davis stated one SUV and three pick-ups. There are two 1999 and one 2000 with approximate mileage at 136,000 one at 118,000 and he is unsure of the third. Altman stated we need to look over all of the fleet requests for the budget cycle. Davis stated he has spoken with Scott Warner and Al Patterson and once the list is finalized they will look at the vehicles for a possible trade. Motion carried unanimously.

2005 County Highway Surplus Property Auction

Davis requested approval to use the 4-H Fairgrounds on Saturday, October 22, 2005 for the highway surplus auction and to use Baker Auction as the auctioneer. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Planning Studies

Davis requested approval to contact the Indianapolis MPO to seek application for federal planning funds for the following studies: 1) Review of N-S corridors, west side of county. 2) Review of N-S corridors, east side of county. 3) Thoroughfare plan review, county wide. 4) 146th Street corridor extension through Boone County (cooperative study with Boone County). 5) 256th Street corridor alignment study, SR 19 to Mt. Pleasant. Dillinger motioned to approve. Holt seconded. Altman stated the county wide thoroughfare plan would be more burden on the county, MPO planning funds can only be used in the MPO or planning area, which parts of the northern part of the county are excluded and would need to be funded 100% local funds. Motion carried unanimously.

146th Street Public Hearing Notice

Davis stated the 146th Street Public Hearing will be August 24, 2005 at 7:00 p.m. at Fishers Junior High School on Cumberland Road. The environmental document has been signed, we are still working out issues for the air quality performance to finalized. We hope to know by the end of the week. We will then request a variance from INDOT's normal procedure to allow us to continue with design and land acquisition. Federal highway won't release their finding and impact statement until it is in the MPO plan, which the project is not in the current plan. INDOT is still looking at dates to meet to discuss financial information.

INDOT Public Meeting for Project Ratings

Davis stated Thursday, August 11, 2005 is INDOT's public meeting regarding their ratings of area projects. There will be two sessions, 2:30 pm & 5:30 pm at the Greenfield office. There is a pre-meeting for elected officials and highway officials ½ hour before the public hearing. Holt asked if we could invite INDOT to attend a Friday morning highway meeting to discuss Hamilton County projects? Dillinger and Altman agreed. The commissioners rescheduled the September 2nd meeting to September 23rd at 7:30 am at the highway department. Davis will confirm.

Thompson TIF Ordinance

Howard stated the City of Carmel has introduced the Thompson TIF Ordinance will have the final reading at their next meeting and then it will come to the commissioners at the next meeting.

Altman called a break in the meeting. [3:09:50]

Altman called the meeting back to order [3:22:31]

Animal Shelter Construction Documents

Mr. John Barbee, Envoy, presented the 100% construction documents for the animal shelter. Mr. Dale Vogel, Paul I. Cripe Architects, stated the adjacent building material matches, alternates have been included in the construction documents and specifications for a metal roof system and exterior metal siding. The floor plan remains the same. We have worked with consultants for the plumbing, electrical and mechanical requirements. Holt asked if the north elevation is horizontal? Vogel stated yes, it is horizontal lap siding, the alternate would be the vertical metal panel system. Altman asked if there are outside dog runs for when they clean the kennels? Vogel stated there are not permanent exterior dog enclosures, there is a fenced in location on the northeast side of the building. Altman stated it looks like the fenced in area is right outside the office area. Vogel stated it does stretch along the front area of the

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office facility. Altman stated that would be on the road frontage and she questions why we put it in front. Vogel stated one of the main reasons is that it keeps any exterior access off of the 4-H side of the property. It also opens the side up for a community perspective during the 4-H Fair. It is not seen as a permanent activity space, it would be solely for visitors and personnel to accommodate and accompany a dog outside. It will not house permanent animal shelter. Altman stated she thought they were using that fenced-in area for when they clean the kennels or vacated the dogs from multiple kennels. Vogel stated in order to clean the kennels, guillotine doors separate kennel enclosures so the dogs can be paired up during cleaning. Altman stated we do not anticipate 10-15 dogs running in the fenced-in area? Vogel stated correct. Altman asked if the pen structures will be fabricated or specs for a specific manufacturer? Vogel stated the base bid is a 4" concrete block masonry unit with steel gate 12" above it. The alternate includes an open-ended spec for a competitive pen enclosure, which would be fiberglass board separation, more of an office furniture enclosure. Holt asked if the issue on the southeast corner of the parcel and trucks with trailers being able to make the term resolved? Vogel stated yes. Holt asked if a semi could make the turn? Vogel stated he will have to verify it, but he believes it is the exact case. Altman asked how many washer/dryers were specified? Vogel stated there are four (4) washer/dryer stack combination units. Altman asked if one could be dedicated for spay-neuter so there is no cross-contamination? Vogel stated yes. Holt motioned to approve the final construction documents. Dillinger seconded. Altman asked what is the construction time frame? Barbee stated it is going to bid January 3, 2006, receive bids early February and open the doors in September 2006. Motion carried unanimously.

Animal Shelter Operating Contracts

Howard stated the final draft of the operating contracts to the humane society and spay-neuter group will be amended to refer to these specific construction plans, then he will send out the drafts to the groups. Holt requested they be on the next agenda.

Community Development Block Grant [3:32:36]

Mr. Mark McConaghy presented the FY 2004 update to the Community Development Block Grant (CDBG) Consolidated Plan, 2005 Action Plan and 2005 Impediments to Fair Housing Analysis. Altman stated she was surprised to find we have a city street and sidewalks being done, given what the monies were used for before. McConaghy stated previously Hamilton County applied for housing funds which are strictly limited to housing. The CDBG is broader in its use of funds. They do have to be spent in areas that are low to moderate income by HUD approved census tracts. Altman stated she can understand sidewalks instead of a street project with storm sewer which would normally be part of a community's responsibility. McConaghy stated the Noblesville Hannibal project includes replacing the brick sidewalk. From a city's perspective the grant allows them to get to projects that would not be able to get to as quickly and allows them to stretch their dollars further. Altman stated the Regional Transit Authority needs local funding for transit related items and if she had known this was the case she would have submitted differently. McConaghy stated the county has agreed to give the communities a pro-rated share of the money and leave it up to the communities to select eligible projects. That can be reviewed next year. Altman asked when is the next opportunity for funding from this grant? McConaghy stated this time next year. The fiscal year starts October 1st, we start the process in March 2006. Altman stated she thinks the \$80,000 for urgent need grants is too low in terms of allocation of funds. We have failing septic systems where we may not have a choice. McConaghy stated that can be amended if there is a urgent need. Holt motioned to approve. Dillinger seconded. Holt and Dillinger approved. Altman abstained. Motion carried.

Commissioner Committee Reports [3:39:02]

Emergency Management Agency

Altman stated an issue has come up with the volunteers for emergency management and whether the county has to provide worker's compensation to them if they are injured while volunteering during an emergency situation. It is not clear in the statute. Howard stated what type of management/supervision are the volunteers under? Mr. Jeff Rushforth stated under the statute municipalities do not have to provide volunteers with worker's compensation insurance, we can elect to provide worker's compensation. The county has elected, with the reserve deputies, a medical only provision which is no more than notifying our third party insurance administrator that as a municipality we want to cover them under that provision. In Indiana if we elect the coverage we can control their medical, we do not have to provide it to them. Once we start rostering volunteers then the parks department will want their people covered. He can see it snowballing. If we don't have a liability to these volunteers he would recommend we don't take them. Howard asked what are the volunteers doing? Mr. Arvin Foland stated they are driving vehicles and listening to radios. Foland stated Hamilton County has had EMA volunteers for many years. Their main mission is volunteering during severe weather events. We have mobile storm watchers and some that stay at home. The problem that we have is that the volunteers think they are covered by workers compensation while they are out in the field. EMA deploys these people during severe weather events. In writing the EMA standard operating procedures he asked Jeff if these people were rostered and the volunteers are under the understanding that they are covered and they are not. Holt motioned to do a two-prong response to this request, one to refer it to the insurance committee and the second to ask the attorney general for an opinion letter asking if counties have the obligation to provide it. Altman stated we have asked the State Emergency Management what our requirements are and they will not give an answer. Howard stated there is another insurance committee issue about liability insurance. If we are directing people to go out and chase storms we have a responsibility. Dillinger stated he does not know if it belongs with the insurance committee. Dillinger recommended meeting with Bob Fearnin and Doug Walker to discuss this issue. Altman stated we should still ask for the attorney general's opinion. Holt motioned to amend his motion to ask the attorney general for an opinion letter on what our responsibility is along with meeting with Fearnin and Walker. Dillinger seconded. Motion carried unanimously. Foland stated he has made many phone calls on this issue and it is his understanding that all local communities are insuring their EMA volunteers, it is pretty much standard practice. Howard asked for health insurance, worker's compensation or third party liability? Foland stated med pay, worker's compensation and third party liability. If they are involved in an accident that we have deployed them to, then they are covered on med pay and liability. Holt asked how many volunteers do you have? Foland stated 37. Holt asked if they are signed up for specific emergencies? Foland stated they are signed up to do specific duties. We have approximately 1 dozen that will do storm spotting in their vehicles, the rest of the volunteers will be mobile or not respond at all. Out of the 37 there are only a couple of dozen are really active. Holt asked if that is their sole function to storm spot? Foland stated that is their major mission in Hamilton County. Foland stated they will also do radio contact during special events in the county such as the White River Clean-up, 4-H Fair, various communication jobs. Holt stated you are not proposing that on the White River Clean-up everyone participating be covered by these policies? Foland stated if they were rostered they would be covered during the clean up. There will only be a handful of people that are at a risk. There is not much risk with radio

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communication. The people at risk are the people responding during the severe weather events, which are the ones he is concerned with. There is some liability for Hamilton County with us deploying them. Holt stated if there are 800 volunteers during the White River Clean-up, if they are not rostered you are not asking for coverage? Foland stated exactly. Howard stated the idea of people chasing storms as volunteers with no supervision, from a liability standpoint, is terrifying. Is there a smaller group that we might have more training and supervision? Don't we want this a little more manageable? Foland stated yes, you are right. There are a handful of volunteers that are trained in storm spotting, they try their best to not put themselves in harms way. We monitor radar very closely and we deploy these people to specific positions, they have the training to stay out of harms way. Howard stated the idea may be to roster only the people who have some level of training or expertise? Foland stated that would be fine if we could do that. Mr. Darren Murphy asked if you could create a squad of people that you send out, which would be a sub-group of the 37 volunteers and they could be called something special. Dillinger stated we need to talk with Fearrin and Walker and see what their recommendations are. Holt asked Rushforth, if you think of the training we put our employees through for non-emergency jobs and throw someone into an emergency situation, are these people doing drug screenings? Rushforth stated he has the same concerns putting these people out in the field. Foland's concerns are that volunteers are hard enough to get and if we are not providing this, he may lose quite a few of the volunteers. Foland stated the volunteers are our essence of weather spotting and responsibility. Without our volunteers we don't have much of a warning system. Holt stated if there is a tornado warning in Adams Township, are their volunteers from other parts of the county that go sit at certain crossroads to watch for tornados? Foland stated we have spotters that are logistically located throughout the county, we are not sending a spotter from one end of the county to the other end of the county. Holt asked why are you driving at all? Foland stated in order to access the storm, access the clouds, access everything the storm spotters need to know and then relay that back to the storm center. Holt asked if this is before the strike or after? Foland stated before the strike. We have radar that indicates where the sever weather is heading and we make projections as to where we want our spotters to check out the movement of the storm. They are educated to understand what the clouds mean. Dillinger asked why would we not utilize our sheriff's department for that? Foland stated we do, we utilize the fire departments and sheriff's department. The volunteers are uniquely trained as storm spotters and that is why we use them. This is a concept that has been used for many years. Motion carried unanimously. Altman asked Rushforth to coordinate the meeting with the insurance people and asked Howard to draft the letter to the attorney general. Holt asked Foland to send the commissioners a summary of how the storm spotter system is supposed to work. Altman stated during a snow emergency, EMA has people trained to deliver emergency supplies, etc. This is supposed to be a network of trained volunteers that respond in an emergency situation. Altman asked Foland for a summary of what volunteers we have, what typically we ask them to do and what typical training is involved. Rushforth stated within the statute volunteer firefighters and ambulance service volunteers, sets certain criteria that they must be covered. The statute for EMA says the municipality may cover them, it does not say must cover them. Sheriff Carter stated there have been a couple of situations where that real time information was very important to the sheriff's department. That timely information that these volunteers are looking at have been very beneficial to us. Sheriff Carter stated he does not remember any issues from the people responding to and from the storm. There is a direct link in communication. Holt asked if storms can be spotted during the dark? Foland stated yes. Holt asked if they are required to obey speed limits and traffic signals? Foland stated absolutely. Holt asked if they have warning devices on their vehicles? Foland stated no.

Conner Prairie Museum Board Appointment [3:57:36]

Altman stated we have received letters concerning the settlement reached for Conner Prairie. The settlement is under advisement before the court. In the interim part of the settlement would involve the Hamilton County Commissioners making a recommendation for the foundation to appoint to start the Conner Prairie operating board. Holt asked if we could act on this at the next meeting. Altman asked if Holt would be interested in this position? Holt stated he thinks he would like to do it on a short term basis.

Operation Pull Over

Sheriff Carter requested approval and signature on the applications for Governor's Council on Impaired & Dangerous Driving Operation Pull Over for Hamilton County. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

CAD/RMS Homeland Security Grant Project

Altman stated on the CAD/RMS project through Homeland Security we are having a series of small changer orders go in and out on the equipment where we can avoid the expense under the contract and purchase it under the GSA agreements. If we can buy equipment for less than is posted on the federal index we can buy it without going to bid. We were able to save approximately \$100,000 - \$200,000 on the fiber initiative contract. Altman requested authority to execute change orders without waiting every two weeks when those opportunities arose or when there are minor issues under the contract to administer, similar to what we do with the juvenile center where that authority was passed to the sheriff's department. Holt asked who would we pass the authority to? Altman stated probably her as she knows the contract. Holt stated that is fine if it is an urgent situation, if not put it on the agenda. Leave Altman to decide if it is an urgent situation. If the vendor says the opportunity is at risk to wait, she can sign off. Altman asked if she could have routine authorization if we are dropping out of the contract for purchasing that she can sign off on that. We are trying to purchase on a routine basis and waiting two weeks could be an issue. Holt stated as long as Altman reports it as an agenda item at the next meeting, so it is of record, and it is something that is price sensitive. Otherwise it should be an agenda item. Altman stated they will not do a change order unless it can be purchased cheaper. Holt motioned to approve. Dillinger seconded. Motion carried unanimously. Altman signed the change order to the New World Systems agreement and Purchase Order #0500804-Stratus.

Budget Hearings

Altman stated she will be unable to attend the county council budget hearings. Altman stated the only variance on the request was the PrimeLife Enrichment contract increase. Altman stated she has told the council that the contract for PrimeLife was increased and we should put courthouse capital expenditures on hold until we have looked at those more closely. County council is considering the efficiency study and the commissioners have approved it pending funding. Altman stated we may want to hold off on some of our capital expenditures until the study is completed so we can look at different ways to save monies. Altman stated the council will put into highway debt service what is anticipated to get from the food and beverage tax. There may be some opportunity for discussion during the hearing. Altman stated regarding the Carmel TIF, if we want to have cooperation with Carmel on pulling some of our engineers to help with construction inspection, it is incumbent upon Mr. Davis to get with Howard to get the interlocal agreement completed.

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Attorney [4:09:34]

Liability Trust Claim

Howard requested approval of a Liability Trust Claim payable to the Hamilton County Clerk for \$371.00.

Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

146th Street Uniform Relocation Assistance Assurance

Howard requested approval of a letter to INDOT regarding the 146th Street from SR 37 to just west of former SR 238 Uniform Relocation Assistance and Real Property Acquisition. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Annexation Legal Description Ordinance [4:11:41]

Howard stated on your agenda is the annexation ordinance. In researching this issue cities and towns have statutory authority to annex. The statute basically says that the ordinance must have a description of the boundaries in the territory to be annexed. The question so the county can not prohibit the annexation and the auditor has a duty to transfer the properties when they come forward. The question is how to do that effectively. I think there has been a suggestion of a meets and bounds description. The next question, in talking primarily with Melissa Dashiell, if the metes and bounds description is a foot off of the descriptions the county has, then we have un-annexed parcels one foot wide. I know the technical people think it would be wonderful to have metes and bounds, but I don't know what problem they are trying to solve. I know they are getting garbage descriptions, but I don't know what that means. Altman stated probably Robin can speak to it, because it is her office that has to deal with it. If we don't go metes and bounds do we have the authority to reject what is submitted based upon the quality of the description? Maybe that is the way to approach this that we don't believe they have met their statutory burden. Some how put it back on the annexing authority to come up with good information that we have to follow for our records. Howard stated he sees real issues in that because these come in February to be posted, effective in February and what do we do with them, do we reject them or reserve the right not to post them and what is the standard. Altman stated if we come up with a standard, maybe that would be better. Howard stated I think we have to have a fairly objective standard that they have to meet and we could propagate the standard by ordinance that you submit either "A" or "B" and we suggest you submit the ordinance immediately upon passage for review so there is a review time. I think we are looking at an ordinance of procedure, statutorily I think that annexing entity is entitled to that AV. I don't know that we can preempt, we as the county, because it is difficult to handle the transaction. Altman stated we need to do something because we are wasting a lot of our county resources on sloppy work. We need to have some type of guidelines that protects us or charges back to the unit our costs. Howard stated he will work on that. Howard asked if that is a Transfer and Mapping or Surveyor issue? Mills stated both, it affects the Surveyor when he does the boundaries.

Olio Road Remonstrance [4:15:11]

Altman asked where are we with the remonstrance on Olio Road? Howard stated the petition was withdrawn. The highway department has submitted to him drawings that show there is about 1 acre on the east side and 1 acre on the west side of land that would have to be acquired in order to preserve the 75 half foot right of way. The Town of Fishers has requested that information so they might work through issues with proposed developers. There is another piece of ground on the old 238 which runs diagonally through the more eastern parcel that is being deeded to highway that could be used for exchanges. The request to vacate right of way has been withdrawn and there is no other issues pending on that.

Paychecks

Altman requested the Auditor look at removing the social security number on the payroll stub and direct deposit vouchers.

Sheriff [4:17:08]

Soleheim Cup

Sheriff Carter stated the Soleheim Cup will be in Hamilton County in 25 days. The planning is going well. We should not have significant traffic issues. We have been in contact with the highway department daily in the hopes that all the arteries will be open by then, particularly 106th Street and Ditch. They are communicating daily with representatives from the LPGA. If the commissioners receive calls, questions or complaints please forward them directly to the Sheriff.

Jail Population

Carter stated the daily jail population is around 340. Working with the judges and bond schedules has helped tremendously.

UASI

Carter stated the UASI initiative is moving along and we will recognize significant change in the near future.

Auditor [4:18:39]

Kronos

Mills thanked the commissioners on approving the Kronos upgrade.

Delinquent Taxes

Mills stated Mr. Swift has requested approval of an October 1st deadline for payment by employees that have delinquent taxes before their checks are garnished. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Liability Trust Claim

Mills requested approval of a liability trust claim payable to Bastin, Dorrell, and Snyder in the amount of \$1,100. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board

Mills requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2005-00074 - Bond Safeguard Insurance Company Subdivision Bond No. 5017923 for Heather Knoll, Section 2 storm sewers - \$212,544.00. 2) HCDB-2005-00075 - Bond Safeguard Insurance Company Subdivision Bond No. 5017922 for Heather Knoll, Section 2 erosion control - \$6,495.00. 3) HCDB-2005-00076 - Bond Safeguard Insurance Company Subdivision Bond No. 5017921 for Heather Knoll, Section 2 monumentation - \$9,492.00. 4) HCDB-2005-00080 - Insurance Company of the West Performance bond No. 2168185 for Summit Lakes, Section 2 storm sewers - \$12,143.40. 5) HCDB-2005-00081 - Fifth Third Bank Irrevocable Standby Letter of Credit No. CIS404113 for Springs of Cambridge, Section 9 erosion control and monumentation - \$45,000.00. 6) HCDB-2005-00082 - Fifth Third Bank Irrevocable Standby Letter of Credit No. CIS40114 for Springs of Cambridge, Section 9 storm sewers and subsurface drain - \$219,925.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board

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Mills requested release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2002-00356 National Fire Insurance Company of Hartford Performance Bond No. 929259451 for the preservation of a Section Corner in Stony Creek Market Place - \$5,000.00. 2) HCDB-2003-00064 Fifth Third Bank Irrevocable Standby Letter of Credit No. CIS401704 for Canal Place, Section 3 erosion control - \$6,000.00. 3) HCDB-2003-00066 - Fifth Third Bank Irrevocable Standby Letter of Credit No. CIS401706 for Canal Place Section 3 storm sewer and sub-surface drain - \$28,800.00. 4) HCDB-2003-00067- Fifth Third Bank Irrevocable Standby Letter of Credit No. CIS401707 for Canal Place Section 2 erosion control - \$36,025.00. 5) HCDB-2003-00069 - Fifth Third Bank Irrevocable Standby Letter of Credit No. CIS401709 for Canal Place Section 2 storm sewer and sub-surface drains - 4196,900.00. 6) HCDB-2004-0001 - Bond Safeguard Insurance Company Bond No. 5009570 for Fox Hollow at Geist, Section 2 storm sewers and sub-surface drains - \$149,201.50. 7) HCDB-2004-00003 - Bond Safeguard Insurance Company Bond NO. 5009571 for Fox Hollow at Geist, Section 2 erosion control - \$23,375.00. 8) HCDB-2004-00029 Bond Safeguard Insurance Company Bond No. 5011309 for Fox Hollow at Geist, Section 3 storm sewers and sub-surface drains - \$246,347.81. 9) HCDB-2004-00030 - Bond Safeguard Insurance Company Bond No. 5011308 for Fox Hollow at Geist, Section 3 erosion control - \$42,080.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Treasurers Monthly Report

Mills requested approval of the amended May 2005 Monthly Treasurer's Report. Altman asked if there are any amended monthly reports an explanation needs to be attached. Dillinger motioned to remove from the table. Holt seconded. Motion carried unanimously. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claims

Mills requested approval of Payroll Claims for the period of July 18 thru July 31 paid August 12, 2005. Holt motioned to approve. Dillinger motioned to approve. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims to be paid August 9, 2005. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Cost Allocation Plans

Mills stated she has received two proposals for the Cost Allocation Plan. Mills asked if the commissioners want the vendors to attend the next meeting? Altman suggested the Auditor speak with the vendors and bring a recommendation back to the commissioners.

Picnic Tables for Historic Courthouse

Mills requested the commissioners consider placing picnic tables on the historic courthouse lawn. Mills suggesting sitting one between the jail and the courthouse and the other under the trees on the northeast corner. Holt asked Mills to work with Fred Swift on selecting appropriate tables.

Wayne Township Paramedics [4:25:28]

Altman stated the county has subsidized paramedic service for years. Riverview ran the entire operation for years and as the municipalities grew they provided their own paramedic service for the units that pulled off. They are actually able to hire more paramedics. As every unit pulls off and takes it in house, then the county is left with the unincorporated areas where we try to provide coverage. The last pull-off was Westfield-Washington Township. Jackson Township has pulled off and provided their own service. This has left Riverview with Adams, Wayne and White River townships with a paramedic. White River has chosen to have the Cicero Fire Department provide all of their service. There is concern there is not enough run revenue to offset the remaining two paramedics and it would become very expensive. The county asked Riverview and council asked the fire chiefs to look at the situation and look at the runs and see if there were other people to cover the areas or better allocation, etc. Altman has not heard an official report back from that committee. The Wayne Township paramedic gets on average 22 calls per month, which does not give them enough hours to stay current on their paramedic certificate. There is a host of issues, they are the experts and we have asked them to decide. There is information floating around that there is some other solution for Wayne Township. She does know the paramedics are under utilized in Wayne Township. She does not know the numbers in Sheridan. Holt asked who does the committee answer to? Altman stated the commissioners are a signatory on the contract with Riverview, funding has been handled through county council. This has been a consistent issue on how do we fund it, how do we provide decent service, etc. Dillinger asked if Noblesville is going to build a fire station at Exit 10? Howard stated Noblesville is in the process of negotiating for a piece of ground near 151st and Olio Road with the construction of the fire station not beginning within the next two years. He would anticipate the fire station would be in design in 2007, when the mall opens. Holt asked who answers the call for fire out there? Howard stated the Greenfield Avenue station. Dillinger stated he does not know why we would take away their paramedics before that happened. Altman stated they could be serviced by Noblesville, it is an issue of run time. We don't put a paramedic in White River, they have worked out an arrangement with Cicero. Holt stated he understood southern White River was serviced out of Wayne. Altman stated that is the way it was supposed to be done. Wayne Township has not been getting those calls, White River has asked it all to be directed to Cicero. Altman stated the other problem is that Jackson is getting a subsidy from the county but Cicero is providing a lot of service in the area. Dillinger asked Altman if she is aware of any big movement by the council or anyone to shut this off this year? Altman stated she has not heard any decision. During the council meeting John Hiatt stated no decision has been made. Altman stated whether the council is going to fund Riverview is a budgetary constraint issue. Holt asked if there is a levy for emergency services? Altman stated there used to be a .01 levy against the whole county. It is gone because it was against our levy limit and the rates kept changing. Altman stated it is set up by contract that if your jurisdiction provides a paramedic the county pays an amount to the entity. Currently it is Clay Township, Noblesville, Fishers, Westfield and she is not sure what they are doing with Jackson Township. Those jurisdictions get paid the cost equivalent of a full time Riverview paramedic up to \$75,000 each. Dillinger motioned to send a resolution to the council asking them to maintain the paramedics in Wayne Township until such time as Noblesville gets their new fire station. Holt motioned to send a resolution to council that they maintain funding at least at the current level for all unincorporated areas in the county. Dillinger seconded. Motion carried unanimously.

Altman adjourned the meeting. [4:36:37]

Commissioners Correspondence

IHFA Notice of Final Monitoring on Owner Occupied Housing Grant
Beam, Longest and Neff Notice of Transmittal:

Bridge #105, Anthony Road over Jones Ditch

IDEM Notice of Sewer Permit Applications:

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Fishers North Lakes Shops - Fishers
Morgans Creek Subdivision - Carmel

IDEM Notice of 30-day Public Comment Period:
Mar-Zane, Inc.

IDEM Notice of Sewer Construction Permit Applications:
Centennial Commercial, Phase 1 - Westfield

IDEM Notice of Decision:
Firestone Industrial Products Company

Certificate of Liability Insurance:
Cintas Corporation & Its Subsidiaries

HAMILTON COUNTY BOARD OF COMMISSIONERS
AUGUST 8, 2005

Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Darren Murphy, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Amber Emery, Highway Public Service Representative
Mike McBride, Highway Technical Engineer
Mark Fisher, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Highway Project Engineer
Matt Knight, Highway Staff Engineer
Faraz Kahn, Highway Department
Kathy Howard, Highway Department
Bob Davis, Highway Superintendent
Floyd Burroughs, Floyd Burroughs & Associates
Bob Hansen, Noblesville Daily Times
Mark Jones, E&B Paving
Nancy Bandy, Boxley Road/261st Street
Margaret Lukes, Meals on Wheels
Marcia Brown, Community Caring Foundation
Mark McConaghy, Noblesville Housing Authority
Troy Halsell, Noblesville Housing Authority
Jeff Rushforth, Safety Risk Management
Arvin Foland, EMA Director
BJ Casali, ISSD
Dale Vogel, Animal Shelter
John Barbee, Envoy

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor